GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – MA&UD Department – Establishment – Municipal Commissioners – Adhoc promotion to Sri Ch. Satyanarayana, Sanitary Inspector, Tadepalligudem Municipality, WG District to the post of Municipal Commissioner Gr.III – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (A) DEPARTMENT

G.O.RT.No. 331 **Dated: 02-07-2021.**

Read the following:-

1. G.O. Rt. No. 800, MA&UD (A) Dept., dated.14.11.2017
2. Orders dt. 22.04.2019 of Hon'ble AP AT in OA No.586/2019 filed by Sri Ch. Satyanarayana, Sanitary Inspector, Tadepallygudem Municipality.
3. Proceedings of the Departmental Promotion Committee dated 11.06.2020.
4. G.O.Ms.No.148, MA & UD (A) Department, dt. 07.07.2020.
5. Order dt. 16.12.2021 of Hon'ble High Court of Andhra Pradesh at Amaravati in WP No.21790/2020 filed by Sri Ch. Satyanarayana, Sanitary Inspector, Tadepallygudem Municipality.
6. Memo.No.1254597/TDG/6/2020-A, MA & UD (A) Deptt., dt.14.10.2020.
7. Memo.No.143136/TDG/2/2021-A, MA & UD Deptt., Dt. 24.06.2021.
8. Roc No.20024/11/2020/A1, Dt.24.06.2021 received from C&DMA,AP, Guntur.

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O R D E R:-

The Hon'ble APAT at Hyderabad in the OA No.586/2019 filed by Sri Ch. Satyanarayana, Sanitary Inspector, Tadepallygudem, on 22.04.2019, has passed the orders that "the respondents are directed to consider the case of the applicant for promotion to the post of Municipal Commissioner Grade.III without reference to the Charge Memo vide G.O.Rt.No.800, Municipal Administration and Urban Development (Vig.I) Department, Dt.14.11.2017 issued by the 1st respondent, if the applicant is otherwise eligible and qualified as per the Rules."

2. The Commissioner & Director of Municipal Administration, AP in the letter 8th read above has informed that during the panel year 2019-20, the DPC in its meeting held on 11.06.2020 and vide its proceedings 3rd read above, has considered the name of Sri Ch. Satyanarayana, Sanitary Inspector and included his name in the panel, but, his promotion to the post of MC Gr.III was deferred until termination of the disciplinary proceedings pending against him in terms of orders issued vide G.O.Ms.No.529, GA (Ser.C) Deptt., Dt.19.08.2008 read with G.O.Ms.No.257, GA (Ser.C) Deptt., Dt. 10.06.1999.

3. Aggrieved by the above, Sri Ch. Satyanarayana, Sanitary Inspector has filed WP No.21790/2020. The Hon'ble AP High Court in WP No.21790 of 2020 filed by individual, has passed the following order dated.16.12.2020:-

"As the time when the matter is taken up for hearing, learned counsel for the petitioner would submit that his request is only for a direction to the authorities to implement the order, dated.22.04.2019, passed in O.A.No.586 of 2019 of the erstwhile A.P. Administrative Tribunal at Hyderabad. It is stated that a representation was also made on 06.05.2019 seeking implementation of the said order but in vain the hence, the present writ petition came to be filed.

(P.T.O)

Learned Government Pleader for Services-III appearing for the respondents would contend that if a reasonable time is given, the authorities will definitely take steps for implementing the said order.

As seen from the record, the respondents have not challenged the order, dated.22.04.2019, in O.A.No.586 of 2019. Hence, this Writ Petition is disposed of directing the respondents to implement the order, dated.22.04.2019, in O.A.No.586 of 2019 as early as possible, preferably, within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs".

4. In the reference 8th read above, the Commissioner & Director of Municipal Administration, Andhra Pradesh, Guntur while furnishing the remarks on the representation of the individual and court orders, has requested the Government to consider for promotion to Sri Ch. Satyanarayana, Sanitary Inspector, Tadepallygudem Municipality as Municipal Commissioner, Grade.III in the light of the orders of the Hon'ble AP High Court and issue necessary orders in the matter to avoid further legal complications.

5. Government, after careful examination of the matter, have decided to implement the orders of the Hon'ble AP High Court in WP No.21790/2020 and hereby promote Sri Ch. Satyanarayana, Sanitary Inspector, Tadepalligudem Municipality as Municipal Commissioner, Grade-III, on adhoc basis, in the pay scale of 29760-80930 in RPS 2015 with usual pay and allowances as applicable to the post from time to time.

6. Sri Ch. Satyanarayana is directed to report before the C&DMA, AP, Guntur for further posting as Municipal Commissioner Grade.III. The C&DMA, AP, Guntur is requested to send the posting proposal immediately to the Government, to avoid further legal complications in the matter.

7. The above promotion is purely on adhoc basis and subject to outcome of OAs/WPs/WAs/RPs/CAs/SLPs etc., if any pending before the various judicial forums and also the disciplinary cases contemplated against him.

8. The Commissioner & Director of Municipal Administration, Andhra Pradesh, Guntur shall take immediate necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner & Director of Municipal Administration, AP, Guntur.
The individual through C&DMA, AP, Guntur.
Copy to:-
The Accountant General, AP, Hyderabad.
The PS to Hon'ble Minister (MA &UD).
The PS to Spl. Chief Secretary to Government, MAUD.
The Government Pleader for MAUD Department, AP High Court, Velagapudi for favour information.
Smt. P. Seetha, Legal Advisor, MA & UD Department for favour of information.
SC/SF

//FORWARDED :: BY ORDER //

SECTION OFFICER